

ATTORNEY DOCKET NO.
13631.0007

PATENT
Customer ID No. 33649

REMARKS/ARGUMENTS

Claims 1 through 3, 5 through 9, 13 through 15, and 17 through 20 are pending. In an office action mailed August 26, 2004 (Paper No. 7), Claims 1-3, 5, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canini et al. (US 6,512,218) in view of Clark et al. (US 6,515,701). Furthermore, Claims 8 and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 6, 7, 13-15 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canini et al. in view of Clark et al., in further view of Krymski et al. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canini et al. in view of Krymski et al. The Applicants appreciate the indication by the Examiner that Claims 4 and 16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1 and 13 have been amended in accordance with the indication by the Examiner, and all pending claims are now believed to be in condition for allowance.

Rejections under 35 U.S.C. 112

Claims 8 and 9 stand rejected under 35 USC 112 as failing to meet the requirements of 35 USC 112. The cited sections of the specification reflect empirical data compiled by the Applicants through experimentation, and thus meet the requirements of 35 USC 112. As the Applicants have identified the pixel series position from which readout can start, based on observation, undue experimentation is not required by one of ordinary skill in the art. The discovery that shifting the pixel series position from which readout can start reduces noise and other problems provides utility, and thus meets the requirements of 35 USC 101. It is not necessary for the Applicants to investigate why shifting the pixel series position from which readout can start reduces noise and other problems – it is sufficient that the claimed investigation is based on empirical observation, testing, and experimentation, and that the specification describe how to implement the claimed invention without undue experimentation. The introduction of noise and other problems could be due to the failure to let stored charges dissipate, switching transients, or other problems, but applicants need not identify the source of such problems, as they have identified the solution to a previously unrecognized problem. Applicants note that none of the cited prior art discloses that shifting the pixel series position

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from which readout can start reduces noise and other problems. Withdrawal of this rejection is respectfully requested. The Examiner is requested to contact the Attorney for the Applicants at the number provided below if additional evidentiary data is required.

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CONCLUSION

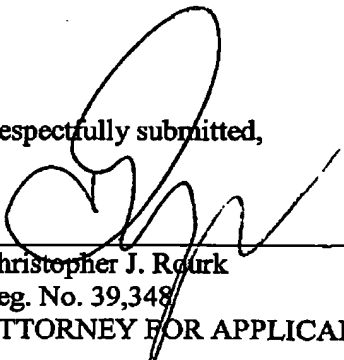
In view of the foregoing remarks and for various other reasons readily apparent, Applicant submits that all of the claims now present are allowable, and withdrawal of the rejection and a Notice of Allowance are courteously solicited.

If any impediment to the allowance of the claims remains after consideration of this amendment, a telephone interview with the Examiner is hereby requested by the undersigned at (214) 939-8657 so that such issues may be resolved as expeditiously as possible.

If any applicable fee or refund has been overlooked, the Commissioner is hereby authorized to charge any fee or credit any refund to the deposit account of Godwin Gruber LLP, No. 500530.

Respectfully submitted,

Date: November 24, 2004



Christopher J. Rourke
Reg. No. 39,348
ATTORNEY FOR APPLICANT

GODWIN GRUBER LLP
1201 Elm Street, Suite 1700
Dallas, TX 75270
Direct: 214-939-8657
Fax: 214-760-7332
Email: crourke@godwingruber.com